

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

---

**JOHN CROCE,**

**Plaintiff,**

**v.**

**AMERICA HEARS, INC., HENRY C.  
SMITH, and ROBERT HOWARD,**

**Defendants.**

---

**Civil Action No. 07 CIV 8747**

**ECF CASE**

---

**VERIFICATION OF SERVICE  
OF SUMMONS AND COMPLAINT**

---

I, ALEXANDER NEMIROFF, Esquire, attorney for Plaintiff, John Croce, hereby verify that:

1. Sandra C. McCallion, Esquire, of Cohen & Gresser LLP, 100 Park Avenue, New York, NY 10017, attorneys for the Defendants, America Hears, Inc., Henry C. Smith, and Robert Howard, has agreed to accept service of the Summons and Complaint on behalf of all of the Defendants in this matter.

2. On October 22, 2007, I served copies of the Summonses and Complaint, together with copies of the documents required under the 3<sup>rd</sup> Amended Instructions for Filing an Electronic Case or Appeal, upon Defendants' attorney, Sandra C. McCallion, Esquire, via Federal Express. A copy of the letter addressed to Sandra C. McCallion, Esquire forwarding these documents is attached hereto as Exhibit A.

I hereby verify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by are willfully false, I am subject to punishment.

ARCHER & GREINER  
A Professional Corporation

BY: 

Alexander Nemiroff (CV 7906)  
One Centennial Square  
Haddonfield, NJ 08033  
(856) 795-2121  
Attorneys for Plaintiff

October 22, 2007

2923684v1

## **EXHIBIT A**

# ARCHER & GREINER

A PROFESSIONAL CORPORATION

PRINCETON OFFICE  
700 ALEXANDER PARK  
SUITE 102  
PRINCETON, NJ 08540  
609-580-3700  
FAX 609-580-0051

COUNSELLORS AT LAW

ONE CENTENNIAL SQUARE  
HADDONFIELD, NJ 08033-0968

856-795-2121  
FAX 856-795-0574

[www.archerlaw.com](http://www.archerlaw.com)

October 22, 2007

PHILADELPHIA OFFICE  
ONE SOUTH BROAD STREET  
SUITE 1600  
PHILADELPHIA, PA 19107  
215-963-3300 / 215-568-4166  
FAX 215-963-9999 / 215-568-2843

WILMINGTON OFFICE  
300 DELAWARE AVENUE  
SUITE 1370  
WILMINGTON, DE 19801  
302-777-4350  
FAX 302-777-4352

Email Address:  
[anemiroff@archerlaw.com](mailto:anemiroff@archerlaw.com)

Direct Dial:  
(856) 354-3053

FLEMINGTON OFFICE  
PLAZA ONE  
1 STATE ROUTE 12, SUITE 201  
FLEMINGTON, NJ 08822-1722  
908-788-9700  
FAX 908-788-7854

ALEXANDER NEMIROFF  
*Also Member of Pennsylvania,  
Maryland, New York, Washington D.C.  
and Virginia Bar*

## VIA FEDERAL EXPRESS

Sandra C. McCallion  
Cohen & Gresser LLP  
100 Park Avenue  
New York, NY 10017

**RE: John Croce v. America Hears, Inc., Henry C. Smith, and Robert Howard  
Docket No. 07 CIV 8747**

Dear Ms. McCallion:

This will confirm your conversation with my colleague, David A. Rapuano, Esquire, in which you indicated that your firm will accept service of the Summons and Complaint on behalf of the Defendant America Hears, Inc., as well as the two individual defendants, with regard to the above-captioned matter. Therefore, I am enclosing copies of the following:

1. The Complaint which has been filed under Docket No. 07 CIV 8747;
2. Summonses addressed to each of the defendants;
3. The assigned Judge's Individual Rules;
4. USDC/SDNY Instructions for filing an Electronic Case or Appeal;
5. USDC/SDNY Procedures for Electronic Case Filing; and
6. USDC/SDNY Guidelines for Electronic Case Filing.

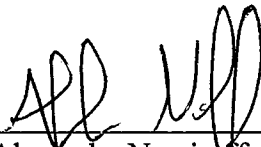
Sandra C. McCallion  
October 22, 2007  
Page 2

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

ARCHER & GREINER  
A Professional Corporation

By: \_\_\_\_\_

  
Alexander Nemiroff

AN/df  
Encs.